

## REMARKS

The Official Action dated February 1, 2006, has been carefully reviewed and the foregoing amendment has been made in response thereto. Prior to entry of the foregoing amendment claims 1 through 21 were active in the present application. Claims 17 through 19 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regard as the invention. Claims 1, 8, 15 and 16 stand rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Claims 1 through 15 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Aspinall et al., "The meaning and measurement of customer retentions." Claims 16 through 21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Jones et al., U.S. Patent Number 6,925,441.

The foregoing amendment requests the cancellation of claims 2, 9 and 15. Claims 1 and 8 have each been amended to include the limitations from cancelled claims 2 and 9, respectively. Claim 16 has been amended to include additional details concerning frequency value and net revenue contribution value. Support for this amendment to claim 16 is provided by the specification at paragraphs 093 and 099. Claims 17 through 19 have been amended to depend from claim 16 rather than claim 4.

It is believed that the amendment to claims 17 through 19, wherein the dependency of those claims is corrected to claim 16, overcomes the rejection under 35 U.S.C. §112, second paragraph. It is also believed that the amendments to claims 1, 8, 15 and 16 overcome the rejection of those claims under 35 U.S.C. §101.

The rejection of claims 1, 2-8, and 10-14 under 35 U.S.C. §103(a) as being unpatentable over Aspinall et al. is respectfully traversed. Aspinall et al. provides a general discussion of customer retention practices, the bulk of the article

presenting the results of a survey of customer retention practices at a plurality of business entities.

It is not seen that Aspinall et al. teaches all of the limitations recited in each of claims 1, 2-8, and 10-14. For example, each one of claims 1, 2-8, and 10-14 includes the step of laying out a data file format as one step in the recited method of building a customer retention model. The present Official Action cites pp. 82-83 of Aspinall et al. as teaching this step. However, the discussion cited in Aspinall et al. concerns the construction of a questionnaire provided to business entities to elicit information from those businesses concerning their customer retention practices. The construction of the questionnaire described at pp. 82-83 of Aspinall et al. is clearly not part of a method of building a customer retention model.

The rejection of claims 16 through 21 under 35 U.S.C. §103(a) as being unpatentable over Jones et al. is believed to be overcome by the amendment to independent claim 16 presented above. As amended, claim 16 recites:

16. A method of identifying highly valued customers of an airline using a Customer Value Metric Model comprising:

determining a frequency value for each customer, said frequency value comprising a measurement of flight activities for each customer within a specified time period;

determining a net revenue contribution value for each customer, said net revenue contribution value comprising a dollar value measurement for each customer's contribution to the airline's bottom line within said specified time period;

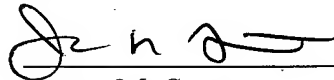
scoring the frequency value and net revenue contribution value for each customer; and

identifying the highly valued customers by ranking the customers based on the scores.

It is not seen that Jones et al. includes any teaching concerning "measurement of flight activities for each customer within a specified time period" or "measurement for each customer's contribution to the airline's bottom line within said specified time period." Accordingly, it is believed that claims 16 through 21, as amended, are patentable over the cited reference to Jones et al.

In view of the foregoing amendments and remarks, it is believed that the application including claims 1, 3-8, 10-14, and 16-21 is in condition for allowance. Early and favorable action is respectfully requested.

Respectfully submitted,



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